DRAFT TMDL Review Checklist – EPA Region 10 (June 2018)

Watershed Name _____Pollutant(s)_____

Section 303(d) of the Clean Water Act and EPA's implementing regulations at 40 CFR Part 130 describe the statutory and regulatory requirements for TMDLs. In 2002, EPA developed review guidelines for TMDLs ("Guidelines for Reviewing TMDLs under Existing Regulations issued in 1992"). EPA Region 10 developed this checklist that reflect changes to the TMDL program since 2002 and to guide regional review of draft and final TMDLs, with the goal of ensuring that TMDLs are consistent with statutory and regulatory requirements.

Requirements for TMDLs developed using § 319 funds are outlined in EPA's Nonpoint Source Program and Grants Guidelines (April 2013). This checklist addresses these requirements separately, on page 2 of this document.

Y	N	n/a	
			Scope of TMDL
☐	☐	☐	Impaired waters addressed by the TMDL are identified.
			Source Analysis
☐	☐	☐	Pollutant(s) of concern are identified.
☐	☐	☐	Potential causes and sources of pollutant loads to the waterbody (i.e. point, nonpoint and background sources) are identified.
☐	☐	☐	Land uses in the watershed (e.g. urban, forested, agriculture) and their distribution are described.
			Uses, Applicable Criteria and Numeric Targets
☐	☐	☐	All applicable uses (designated and existing) impacted by the pollutant(s) are identified[1].
☐	☐	☐	All numeric and/or narrative criteria relevant to the applicable uses are identified[2].
☐	☐	☐	The water quality target chosen for the TMDL is identified and the link to the TMDL pollutant is described.
☐	☐	☐	Numeric interpretation of narrative criteria or use of a surrogate and how they are linked to the TMDL pollutant are described.
			Analytical Framework
☐	☐	☐	For each pollutant, the approach and key assumptions used to develop the TMDL are described.
☐	☐	☐	If a model is used, then: 1) the model is described and rationale for the use of the model is included. 2) Key data inputs and model assumptions are explained.
☐	☐	☐	Supporting data and documentation for the TMDL analysis is included (e.g. water quality data, flow data, calculations).
			Loading Capacity
☐	☐	☐	The loading capacity for all waterbodies is identified as a daily load[3].
☐	☐	☐	Allocations and other TMDL elements are consistent with the equation ($\sum$LA+$\sum$WLA+MOS=LC) as appropriate[4].
			Wasteload Allocations
☐	☐	☐	All NPDES permitted discharges (including stormwater sources) are identified.
☐	☐	☐	Numeric WLAs are allocated among individual point sources, or the TMDL explains why they are not necessary[5].
☐	☐	☐	WLAs are expressed as daily loads[6].

[1] Including aesthetic uses and uses in downstream waters, as appropriate.
[2] Including downstream criteria, as appropriate
[3] In addition to alternative, non-daily load expressions, as needed to facilitate implementation of the applicable water quality standards.
[4] Where possible, load allocations should be described separately for natural background and other nonpoint sources. Also future allocations are encouraged when appropriate.
[5] An aggregated WLA may be assigned to a group of facilities in some select instances. For example, this might be the case with large scale mercury TMDLs, or in cases where a source is contained within a general NPDES permit (e.g. stormwater, construction).
[6] In addition to alternative, non-daily load limits, such as monthly averages, as needed to inform NPDES permit development or facilitate implementation of the applicable water quality standards.

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Load Allocations

☐ ☐ ☐ Load allocation(s) are identified.

☐ ☐ ☐ Load allocation(s) is (are) expressed as (a) daily load(s)[7]

Margin of Safety

☐ ☐ ☐ An implicit or explicit Margin of Safety (MOS) is described in the TMDL.

☐ ☐ ☐ Conservative assumptions used to account for an implicit MOS are described.

Seasonal Variation and Critical Conditions

☐ ☐ ☐ Seasonal variation considerations are discussed.

☐ ☐ ☐ Critical conditions (e.g., low flow) are discussed.

Public Participation

☐ ☐ ☐ The public comment process is described and is consistent with the State's public participation rules.

☐ ☐ ☐ Public comments and responses are readily available (e.g. in the final TMDL document or on the State's website). Responses to comments are reasonable and appropriate revisions to the TMDL are made as appropriate.

Reasonable Assurances

☐ ☐ ☐ If the TMDL includes both point and nonpoint sources, a reasonable assurance demonstration is made.[8]

Was the TMDL developed using §319 funds?

If yes, then the following additional elements should be included in the TMDL, as described in EPA's Nonpoint Source Program and Grants Guidelines (April 2013). This information could help in making a reasonable assurance demonstration.

Source Analysis

☐ ☐ ☐ A detailed identification of the causes and sources of nonpoint source pollution, by source type, to be addressed in order to achieve the load reductions needed to TMDL targets[9]

Load Allocation

☐ ☐ ☐ Identifies the total nonpoint source (NPS) existing loads and load reductions necessary to meet water quality standards by source type.

☐ ☐ ☐ Includes an analysis of the NPS management measures, by source type, expected to be implemented to achieve the necessary load reductions and an adaptive management plan for those NPS management measures.

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[7] In addition to alternative, non-daily load allocation expressions as needed to facilitate implementation of the applicable water quality standards.

[8] One practical way to evaluate reasonable assurance is to consider whether it addresses these questions: 1) Do practices capable of reducing specified pollutant load exist? 2) Does the State describe a plan or process to implement such practices?

[9] Examples include acres of various row crops, number and size of animal feedlots, acres and density of residential areas.